

GOVERNMENT OF TELANGANA
ABSTRACT

Public Servants – RWS&S Department – Allegation of dowry harassment against Sri B. Hari Babu, the then Asst. Engineer, RWS&S, Narnoor Mandal, Adilabad District (now Retd.) – Convicted by the Hon'ble Court of the Spl. Judicial Magistrate of First Class (Excise), Karimnagar – Imposition of a penalty of "withholding of entire pension and gratuity permanently" under Rule 9 of A.P. Revised Pension Rules, 1980 (Telangana Adaptation Order) 2016 – Orders – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.MS.No. 55

Dated: 19-07-2016
Read the following:-

1. Hon'ble Court of the Spl. Judicial Magistrate of First Class (Excise), Karimnagar, judgement dt. 05.02.2013 in C.C.No.289/2007.
2. Proceedings No.Vig(2)/19949/RWS&S/2006, dt. 09.11.2013 of the Engineer-in-Chief, RWS&S, Hyderabad.
3. From the Engineer-in-Chief, RWS&S, Hyderabad Lr.No.Vig.2/RWS&S/19949/2006, dt. 24.05.2014.
4. Govt.Memo No.10294/Vig.I/A2/2014-2, PR&RD (Vig.I) Dept., dt.18.12.2015.
5. From the Engineer-in-Chief, RWS&S, Hyderabad Lr.No.Vig.2/RWS&S/19949/2006, dt. 18.01.2016.
6. Order dt. 05.03.2013 in CMP No.13/2013 in Crl. Appeal No.21/2013 of the IV Addl. Sessions Judge (Fast Track Court), Karimnagar filed by Sri B.Hari Babu, AE, RWS&S.

ORDER:

In the reference 1st read above, the Hon'ble Court of the Spl. Judicial Magistrate of First Class (Excise), Karimnagar, has delivered judgment dt.05.02.2013 in C.C.No.289/2007 convicting Sri B.Hari Babu, the then Asst. Engineer, RWS&S, Narnoor of Adilabad District, u/s 248 (2) Cr. P.C. for the offence punishable u/s 498-A IPC and sentenced to undergo rigorous imprisonment for a period of one year and to pay a fine of Rs.5,000/- in default of payment of fine he shall suffer simple imprisonment for a period of three months.

2. In the reference 2nd read above, the A.O. Sri B. Hari Babu, the then Asst. Engineer, RWS&S, Narnoor Mandal, Adilabad District was placed under suspension. Subsequently, the A.O. was retired from service on 30.06.2015 on superannuation, while continuing under suspension.

3. Sri B.Hari Babu, the then Asst. Engineer, RWS&S, Narnoor of Adilabad District (u/s) has filed an appeal before the IV Addl. Sessions Judge (Fast Track Court), Karimnagar and the Hon'ble Court in its order dt. 05.03.2013 in CMP No.13/2013 in Crl. Appeal No.21/2013 has suspended the execution of sentence on the condition of executing a bond for a sum of Rs.10000/- with two sureties for a like sum each to the satisfaction of Spl. Judicial Magistrate of First Class, (Excise) Karimnagar and the appeal is pending before Hon'ble IV Addl. Sessions Judge, Karimnagar vide reference 6th read above.

4. According to Rule 25 (i) of A.P. Civil Services (CC&A) Rules, 1991, where any penalty is imposed on a Government Servant on the ground of conduct, which had led to his conviction on a criminal charge, it is not necessary to follow the procedures laid down under Rules 20 to 24 of A. P. Civil Services (CC&A) Rules, 1991.

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5. Government have observed that the conduct leading to the conviction on the criminal charge constitutes, on part of Sri B. Hari Babu, the then Asst. Engineer, RWS&S, Narnoor Mandal, Adilabad District (now Retd.) grave misconduct of Dowry harassment.

6. Government, after careful examination of the matter, have provisionally decided to impose a penalty of "withholding of entire pension and gratuity permanently" under Rule 9 of A.P. Revised Pension Rules, 1980 against Sri B. Hari Babu, the then Asst. Engineer, RWS&S, Narnoor Mandal, Adilabad District (now Retd.) for conduct which led to his conviction. Accordingly, a show cause notice has been issued to the said individual directing him to show cause within (15) days from the date of receipt of Memo, as to why a penalty of "withholding of entire pension and gratuity permanently" under Rule 9 of A.P. Revised Pension Rules, 1980, should not be imposed on him for his conviction on a criminal charge in judgment dt.05.02.2013 in C.C.No.289/2007 vide reference 4th read above. The individual has acknowledged the said charge memo vide reference 5th read above. But he has not submitted any explanation to the above show cause notice.

7. Government after careful examination of the entire matter, have decided and accordingly, hereby impose a penalty of "withholding of entire pension and gratuity permanently" under Rule 9 of A.P. Revised Pension Rules, 1980 (Telangana Adaptation Order) 2016 against Sri B. Hari Babu, the then Asst. Engineer, RWS&S, Narnoor Mandal, Adilabad District (now Retd.) for conduct which led to his conviction.

8. The Engineer-in-Chief, RWS&S, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

S.P.SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri B. Hari Babu, the then Asst. Engineer, RWS&S, Narnoor Mandal, Utnoor of Adilabad District (now Retd.) through Engineer-in-Chief, RWS&S, Hyderabad.
The Engineer-in-Chief, RWS&S, Hyderabad.
Copy to:
The Accountant General, Telangana, Hyderabad
The Secretary to V.C., Telangana Vigilance Commission, Hyderabad.
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER